

**US Army Corps
of Engineers**
Louisville District ®

Joint Public Notice

Public Notice No.
LRL-2017-292-mdh

Open Date
11 Oct 2017

Close Date
10 Nov 2017

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Michael Hasty, CELRL-RDN, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: 502.315.6676

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: Full House Resorts
4670 S. Fort Apache Road, Suite 190
Las Vegas, Nevada 89147

AGENT: Land Consultants
314 Front Street
Lawrenceburg, IN 47025

LOCATION: Left and right banks of the Ohio River at Mile 505 in Ohio County,
Indiana and Boone County, Kentucky.

Latitude: 38°-57'-20"N
Longitude: 84°-50'-10"W
7.5 Minute Quad: RISING SUN, INDIANA

PURPOSE: Construct an Ohio River ferry service.

DESCRIPTION OF WORK: The applicant proposes to construct a new river ferry service on the Ohio River, connecting Ohio County, Indiana (near the city of Rising Sun) with Boone County, Kentucky (near the city of Rabbit Hash). Under the proposal the applicant would construct two river ferry landings/ramps, one in Indiana and one in Kentucky, each resulting in the discharge of 20 cubic yards (0.07 acre) of concrete. These activities would occur below the Ordinary High Water (OHW) elevation of 459.0 (Ohio River Datum). Further, on the Kentucky side, four (4) 6' x 2' concrete anchor moorings would be placed below the OHW. Gravel approach roads would be constructed in Indiana (partially within the OHW, wetlands and a perennial stream channel) and in Kentucky, as needed, to connect existing roadways to the concrete ferry ramps (see *Table 1* for a list of proposed impacts to "waters of the United States"). In addition, floating turbidity curtains would be placed around both ferry landings/ramps to minimize wake while loading and unloading the ferry. Finally, the applicant proposes the permanent mooring of a new river ferry boat with the following dimensions 130' long x 38' wide x 5'-6" in depth. The maximum riverward projection of the ferry at either ramp would be approximately 150'.

The ferry would be capable of transporting 10 vehicles (maximum) across the river at any one time. The applicant is proposing these activities to provide a more efficient means of access to visitors of the nearby Rising Sun Casino. The anticipated hours of operation are 8:00 AM – 10:00 PM Sunday through Thursday, and 8:00 AM – Midnight on Fridays and Saturdays. The estimated roundtrip time is 20 minutes, therefore three crossings are planned per hour. Further, it is noted that the

applicant has coordinated with the U.S. Coast Guard in regards to the design and safety of an operational ferry service (see attached *Figures 1-11*).

Table 1: Proposed Impacts to “Waters of the United States”

Water ID	Type	Impact/Activity	Impacts	
			Length (ft.)	Area (ac.)
Wetland 1	Emergent	Fill/Roadway	N/A	0.10
Wetland 2	Emergent	Fill/Roadway	N/A	0.08
Wetland 3	Emergent	Fill/Roadway	N/A	0.06
Stream 4	Perennial	Fill/Structure	65	0.01
Ohio River (KY)	Perennial	Fill/Ferry Ramp	15	0.07
Ohio River (IN)	Perennial	Fill/Ferry Ramp	15	0.07
Total Proposed Impacts:			95	0.39

AVOIDANCE & MINIMIZATION MEASURES: The applicant took measures to ensure the footprint of the project avoided “waters of the US”, to the extent that both the approach roads and concrete landing ramps were minimized only to the size needed. In addition, no dredging is being proposed in association with this action.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

The National Register of Historic Places (NRHP) has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515). It is noted that the town of Rabbit Hash is listed on the NRHP and is located in the vicinity of the proposal.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Mission/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Michael Hasty, CELRL-RDN at the address noted above and should refer to the Public Notice Number LRL-2017-292-mdh.

If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2017-292-mdh

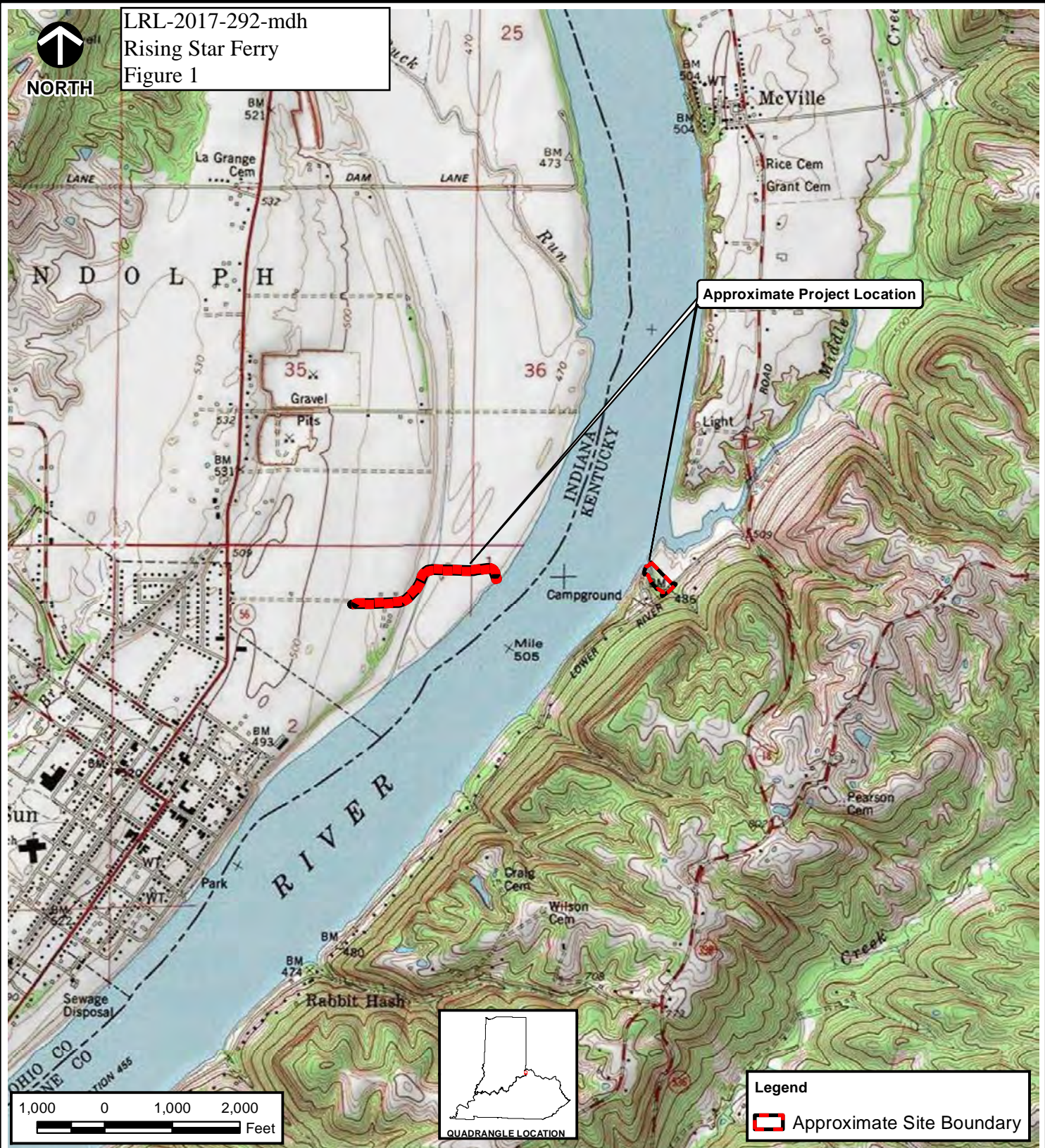
Example: LRL-2017-292-mdh (Subject)

- b) Provide your physical mailing address and telephone number.

- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

J:\gis support\other office projects\170-414\170-414 Rising Sun Fig1.mxd - 8/17/2017 - 1:58:24 PM (arodrian)



Civil & Environmental Consultants, Inc.

530 E. Ohio Street · Suite G · Indianapolis, IN 46204
Ph: (317) 655-7777 · Toll: (877) 746-0749 · Fax: (317) 655-7778
www.cecinc.com

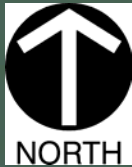
FULL HOUSE RESORTS, INC.
RISING STAR FERRY CROSSING PROJECT
OHIO COUNTY, INDIANA
AND BOONE COUNTY, KENTUCKY

PROJECT LOCATION MAP

DRAWN BY:	AJR	CHECKED BY:	RJB	APPROVED BY:	DRAFT*	FIGURE NO:
DATE:	AUGUST 17, 2017	DWG SCALE:	1" = 2,000'	PROJECT NO:	170-414	1

Signature on File *

Document Path: J:\gis_support\other_office_projects\170-414\170-414_RISINGSTAR_Fig3A_Revised20170815.mxd



LRL-2017-292-mdh
Rising Star Ferry
Figure 2

REFERENCE

ESRI WORLD IMAGERY / ARCGIS MAP SERVICE:
HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_IMAGERY,
ACCESSED 8/17/2017, IMAGERY DATE: 2014.

WETLAND DELINEATION SERVICES WERE PERFORMED
BY CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
ON MARCH 16, 2017 AND JULY 25, 2017.



Legend

- | | | | |
|------------------------------|---------------------------------------|--------------------------------------|--------------------------------|
| Survey Area (July 25, 2017) | Stream 4 Impacts - 0.01 acre | Wetland 3 - PEM (Stream Fringe) | Stream 1 - Perennial |
| Survey Area (March 16, 2017) | Wetland 1,2 and 3 Impacts - 0.05 acre | Wetland 2 - PEM (Agricultural Field) | Stream 2 - Ephemeral |
| Proposed Indiana Site | | Wetland 1 - PEM (Mowed Field) | Stream 3 - Banks of Ohio River |
| March 25, 2017 Test Site | | Wetland 4 - PEM (Agricultural Field) | Stream 4 - Perennial |
| July 25, 2017 Test Sites | | | |



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530 East Ohio Street - Indianapolis, IN 46204
317-655-7777 • 877-746-0749
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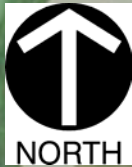
FULL HOUSE RESORTS, INC.
RISING STAR FERRY CROSSING
OHIO COUNTY, INDIANA
AND BOONE COUNTY, KENTUCKY

PRELIMINARY JURISDICTIONAL
WATERS DETERMINATION MAP

DRAWN BY:	AJR	CHECKED BY:	RAS	APPROVED BY:	RAS*	FIGURE NO:	3A
DATE:	8/17/2017	SCALE:	1" = 150'	PROJECT NO:	170-414		

* SIGNATURE ON FILE

Document Path: J:\gis_support\other_office_projects\170-414\170-414_RISINGSTAR_Fig3A_Revised20170815.mxd

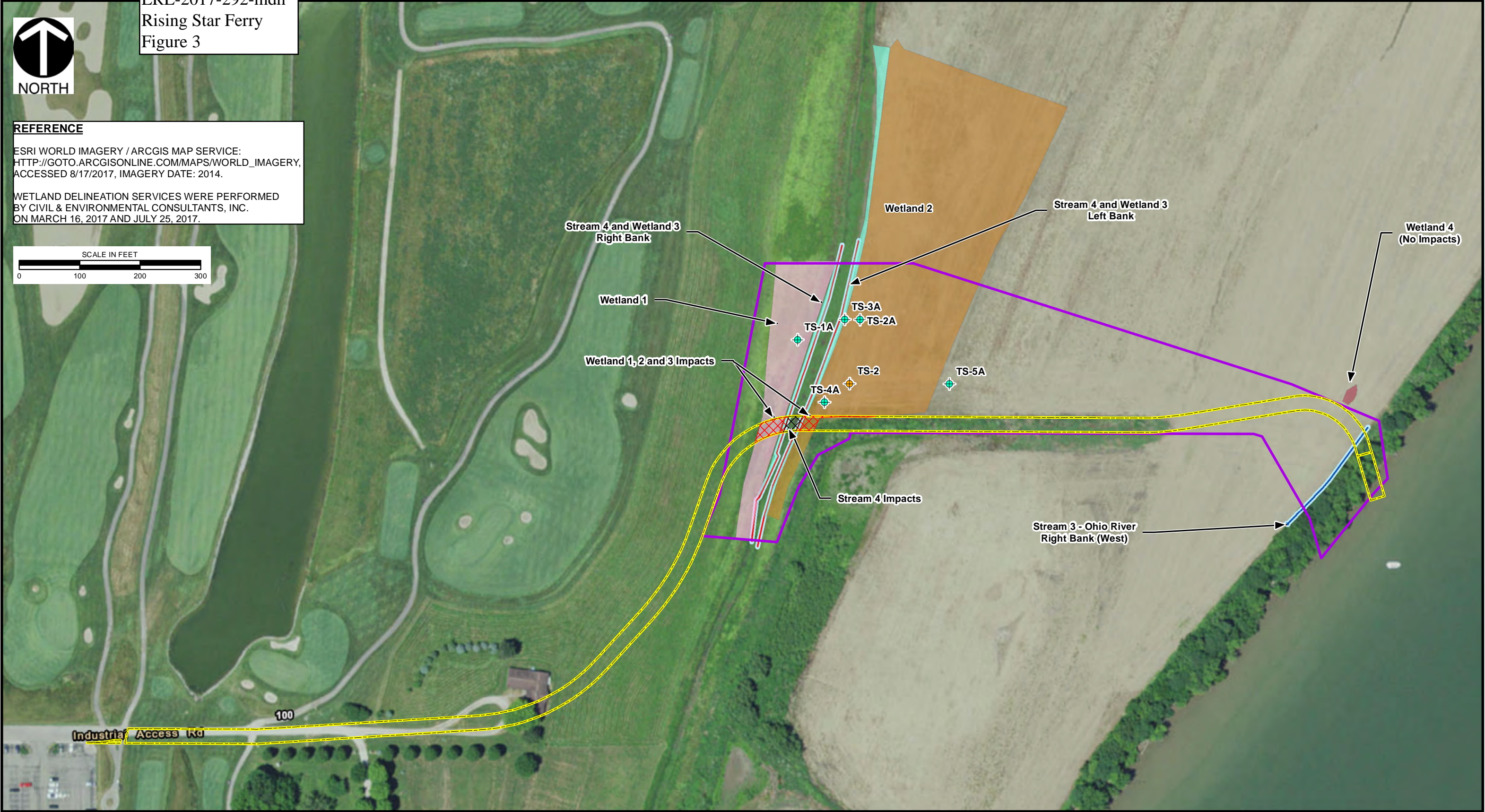


LRL-2017-292-mdh
Rising Star Ferry
Figure 3

REFERENCE

ESRI WORLD IMAGERY / ARCGIS MAP SERVICE:
HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_IMAGERY,
ACCESSED 8/17/2017, IMAGERY DATE: 2014.

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ON MARCH 16, 2017 AND JULY 25, 2017.



Legend

- Survey Area (July 25, 2017)
- Survey Area (March 16, 2017)
- Proposed Indiana Site
- March 25, 2017 Test Site
- July 25, 2017 Test Sites

Impacts to Waterbodies

- Stream 4 Impacts - 0.01 acre
- Wetland 1, 2 and 3 Impacts - 0.05 acre

Delineated Wetland Areas

- Wetland 3 - PEM (Stream Fringe)
- Wetland 2 - PEM (Agricultural Field)
- Wetland 1 - PEM (Mowed Field)
- Wetland 4 - PEM (Agricultural Field)

Delineated Stream Features

- Stream 1 - Perennial
- Stream 2 - Ephemeral
- Stream 3 - Banks of Ohio River
- Stream 4 - Perennial



Civil & Environmental Consultants, Inc.

530 East Ohio Street - Indianapolis, IN 46204
317-655-7777 · 877-746-0749
www.cecinc.com

DRAWN BY: AJR
DATE: 8/17/2017

CHECKED BY: RAS
SCALE: 1" = 150'

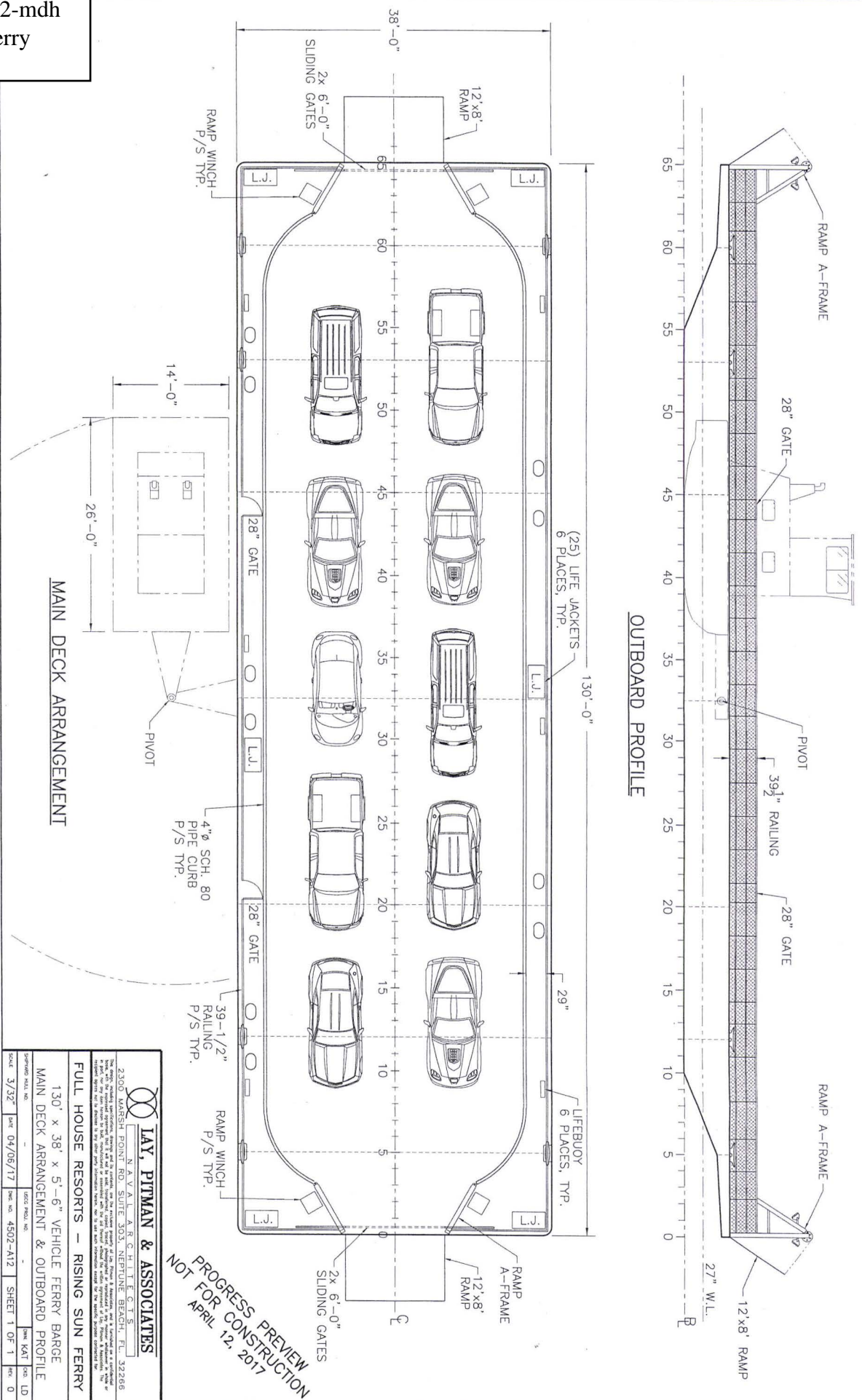
APPROVED BY: RAS*
PROJECT NO: 170-414

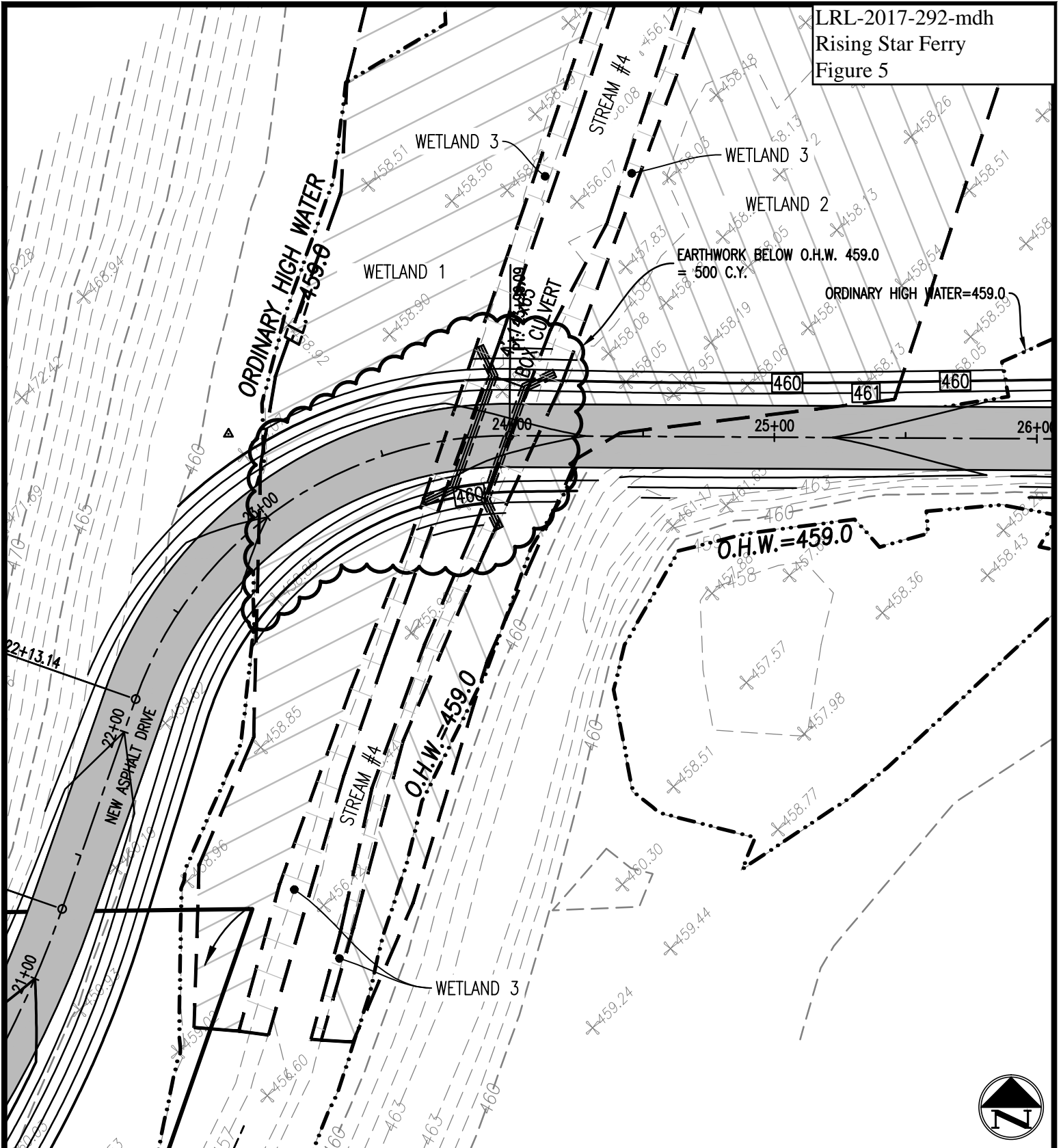
FIGURE NO: 3B

FULL HOUSE RESORTS, INC.
RISING STAR FERRY CROSSING
OHIO COUNTY, INDIANA
AND BOONE COUNTY, KENTUCKY

PRELIMINARY JURISDICTIONAL
WATERS DETERMINATION MAP

* SIGNATURE ON FILE





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THE SURVEY COMPANY
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COMMUNITY AND ECONOMIC PLANNING
314 FRONT STREET
LAWRENCEBURG, IN 47025
(812) 537-2145
FAX (812) 537-4901
(888) 537-2145

PLAN (4)

APPLICATION BY:
FULLHOUSE GAMING

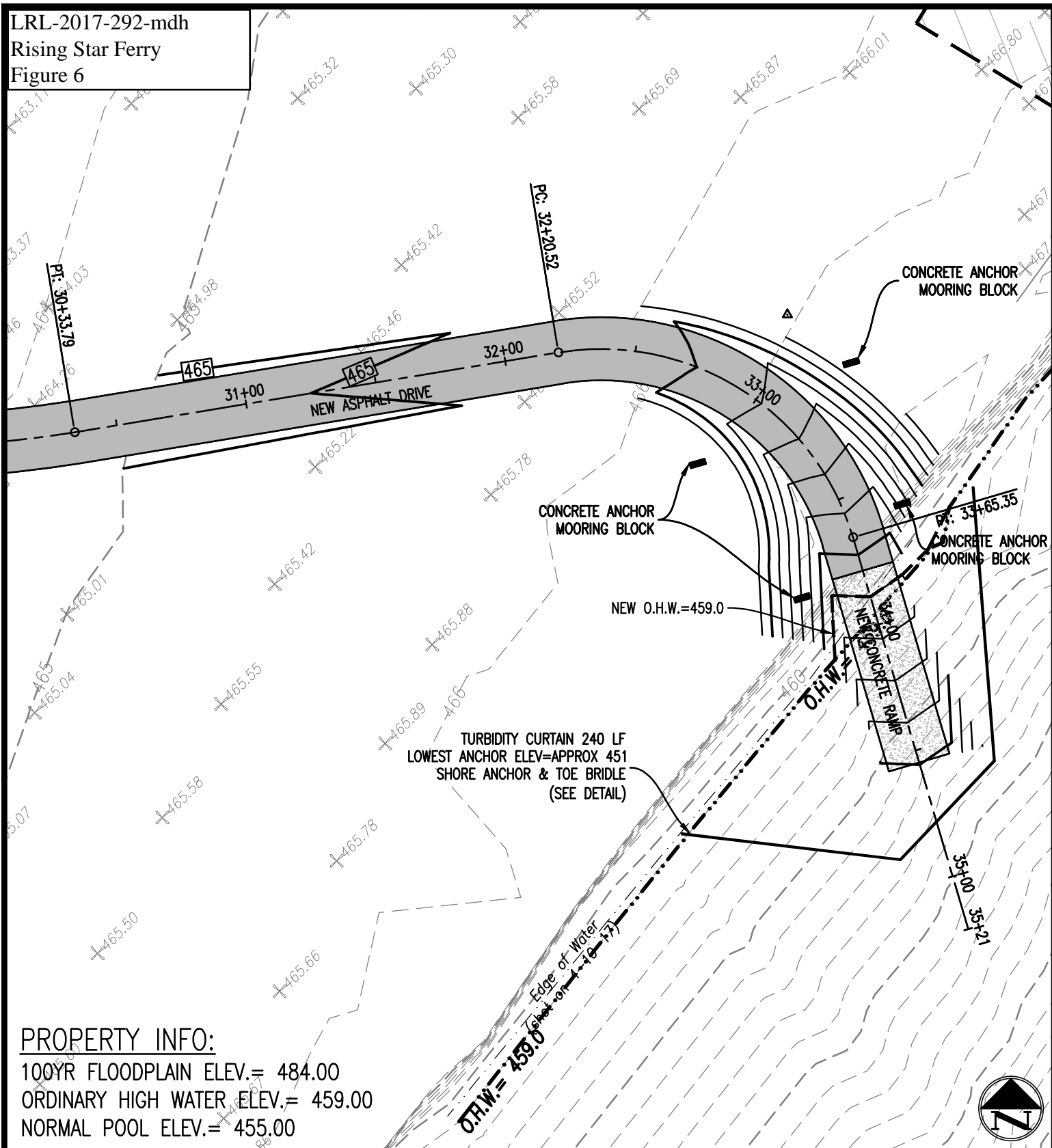
RISING SUN, IN

RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: CITY OF RISING SUN, OHIO COUNTY, IN

ISSUE DATE: APRIL 27, 2017



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PLAN (6)

APPLICATION BY:
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RISING SUN, IN

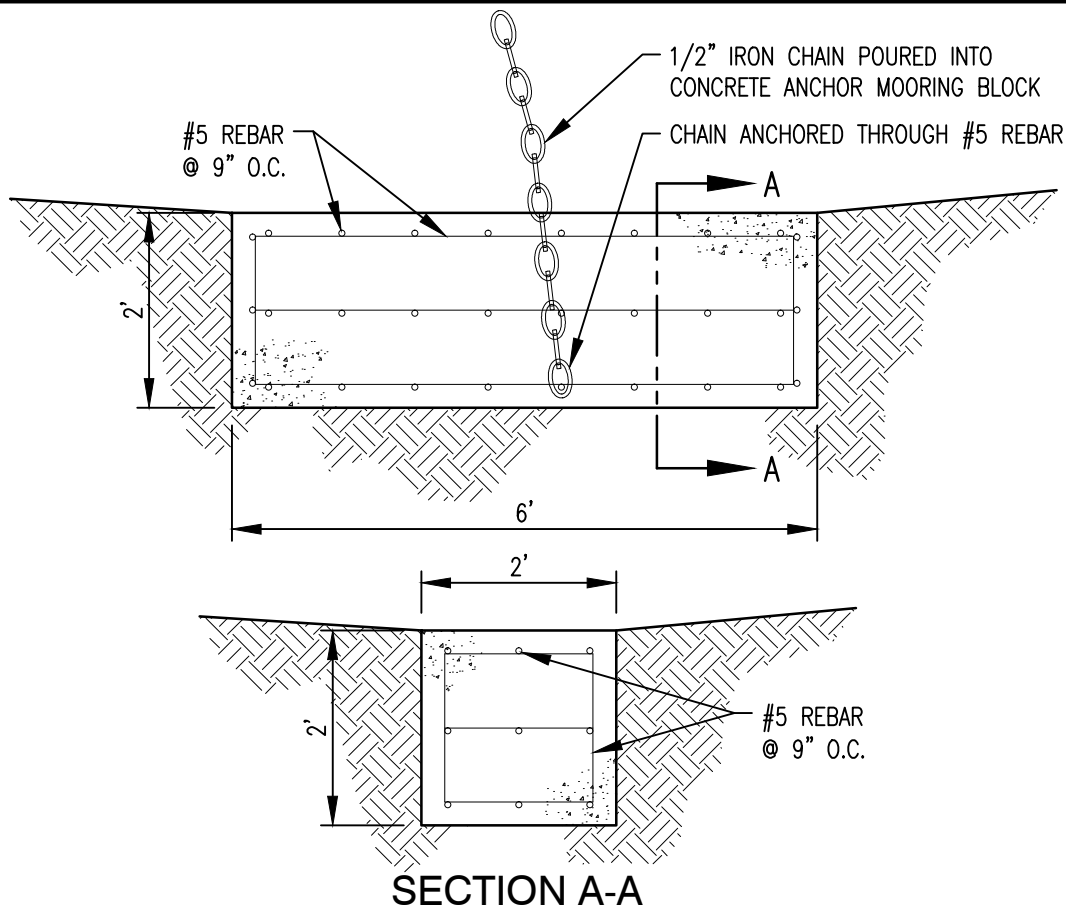
RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: CITY OF RISING SUN, OHIO COUNTY, IN

ISSUE DATE: APRIL 27, 2017

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CONCRETE ANCHOR MOORING BLOCK



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DETAILS (6)

APPLICATION BY:
 FULLHOUSE GAMING
 RISING SUN, IN

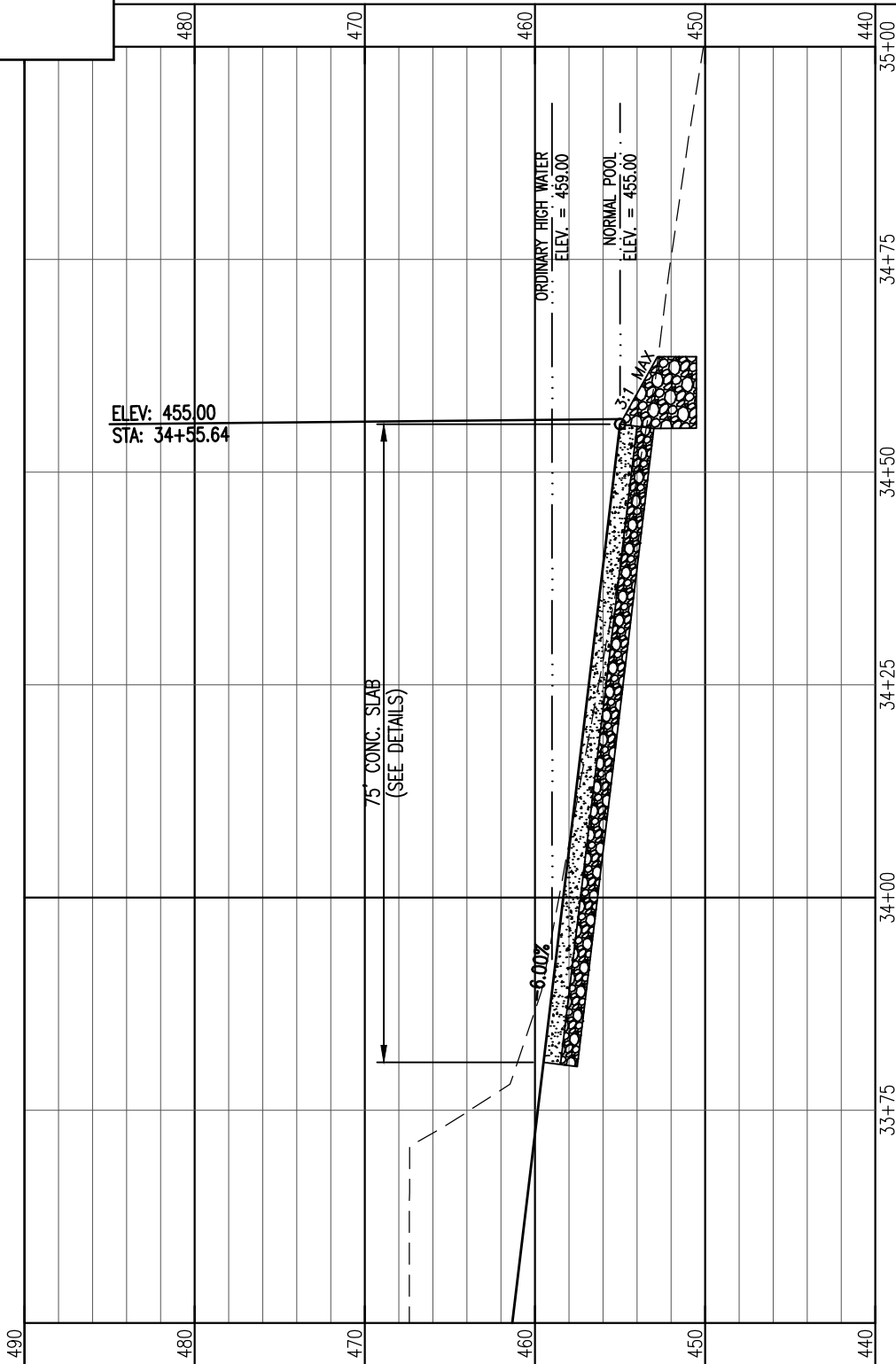
RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: CITY OF RISING SUN, OHIO COUNTY, IN

ISSUE DATE: APRIL 27, 2017

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FERRY ROAD

SCALE: 1"=50' H
 1"=25' V

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RAMP DETAIL

APPLICATION BY:
 FULLHOUSE GAMING
 RISING SUN, IN

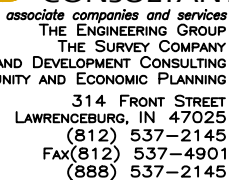
RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: CITY OF RISING SUN, OHIO COUNTY, IN

ISSUE DATE: APRIL 27, 2017

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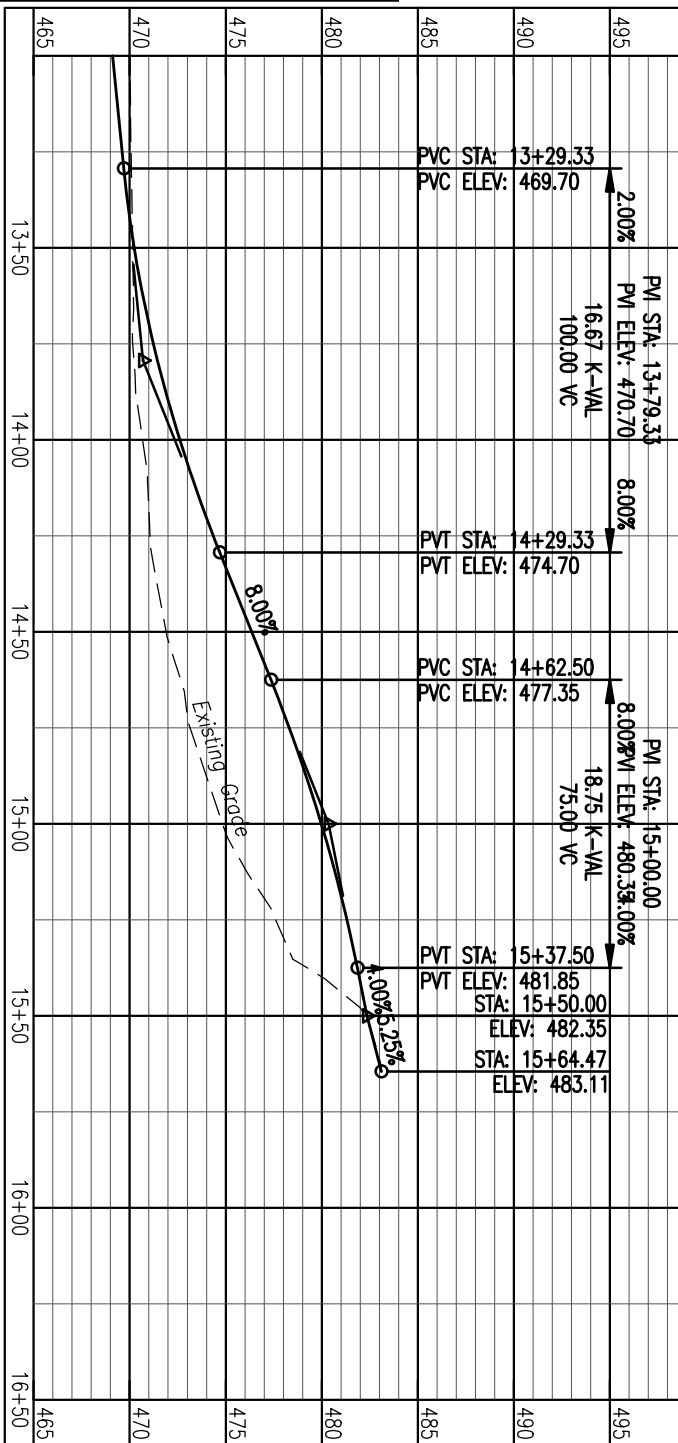
RISING STAR FERRY ROAD

ISSUE DATE: APRIL 27, 2017

2 of 11

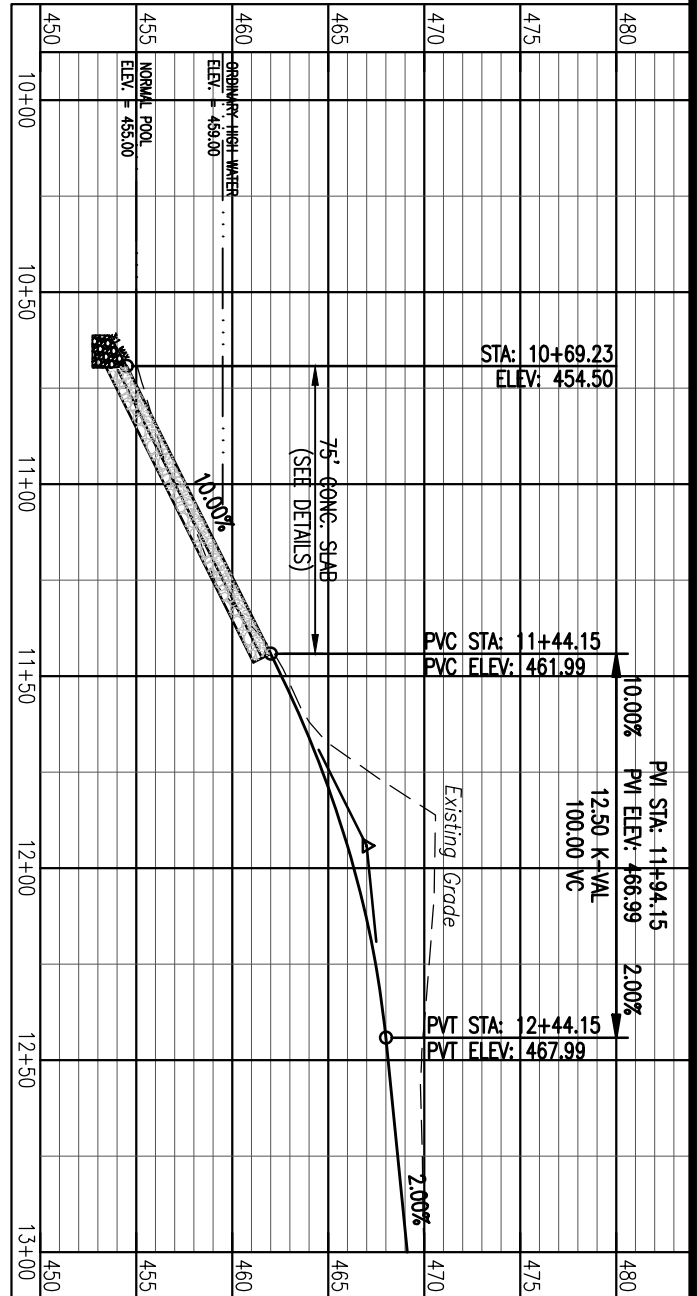
RS FERRY-KENTUCKY

SCALE: 1"=50' H
1"=10' V



RS FERRY-KENTUCKY

SCALE: 1"=50' H
1"=10' V



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PROFILE

APPLICATION BY:
FULLHOUSE GAMING

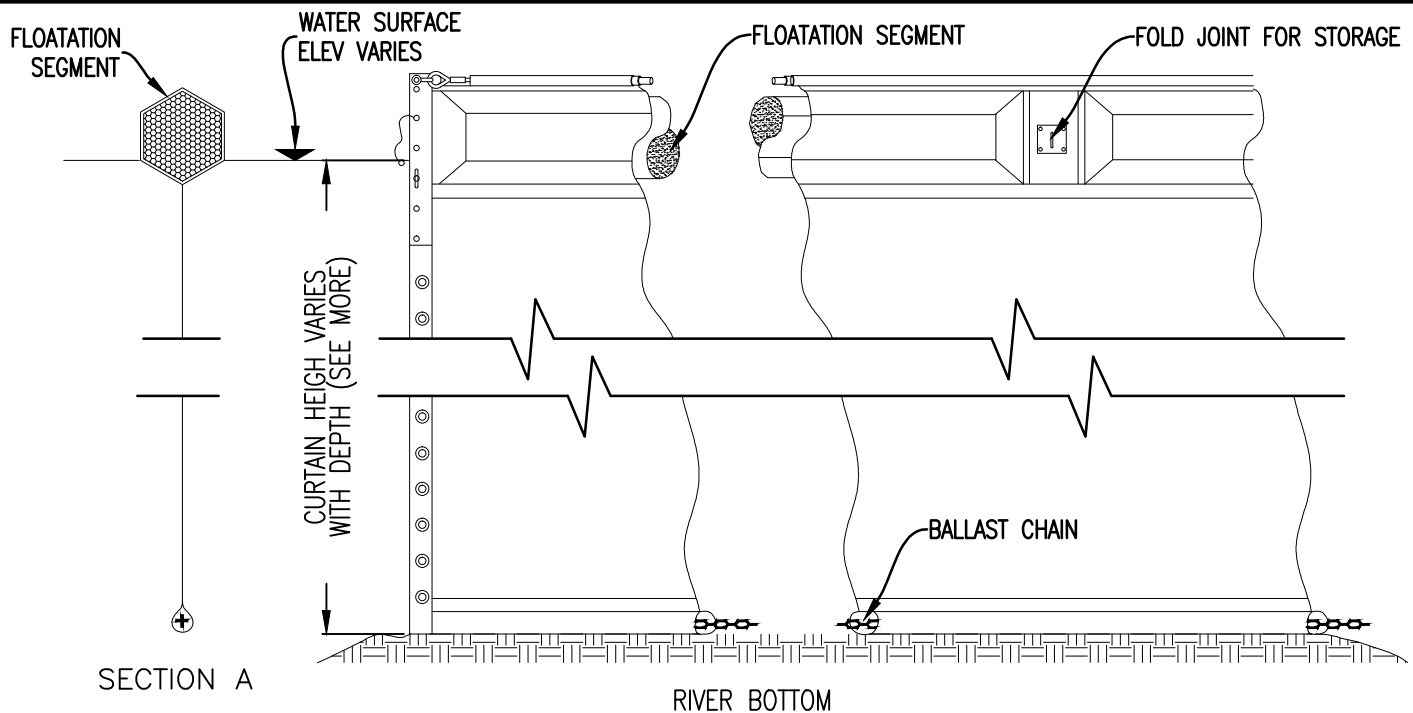
RISING SUN, IN

RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: BOONE COUNTY, KY

ISSUE DATE: APRIL 27, 2017



NOTE:
 TURBIDITY CURTAIN TO BE OF SUFFICIENT HEIGHT TO PROVIDE CONTAINMENT AT
 ORDINARY HIGH WATER ELEVATION. CURTAIN SHALL BE SIZED TO MAINTAIN
 CONTACT WITH RIVER BOTTOM AT ALL TIMES.

FOR TECHNICAL SUPPORT CALL (772)646-0597.



TURBIDITY CURTAIN DETAIL



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DETAILS (8)

APPLICATION BY:
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 RISING SUN, IN

RISING STAR FERRY ROAD

IN: OHIO RIVER (___ MILE)

AT: CITY OF RISING SUN, OHIO COUNTY, IN

ISSUE DATE: APRIL 27, 2017

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